

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

**ARNULFO FONSECA,**

Plaintiff,

v.

**CHARLES DAVID NELSON,  
KEITH BROWN, KEN CLORE,  
RANDY BUTLER, MIKE JONES,  
TODD FORT, STEVE SLOAN,  
SALINE COUNTY, SHERIFF'S OFFICE  
of SALINE COUNTY, and  
STATE'S ATTORNEY'S OFFICE  
of SALINE COUNTY,**

Defendants.

Civil No. **08-435-CJP**

**ORDER**

**PROUD, Magistrate Judge:**

Before the Court is Plaintiff's Motion for Sanctions as to Defendant C. David Nelson Pursuant to Rule 37. (**Doc. 178**). Defendant Nelson filed a response at **Doc. 183**.

Plaintiff seeks sanctions because defendant Nelson has not made pretrial disclosures of the witnesses and exhibits he intends to use at trial, pursuant to Fed.R.Civ.P. 37(a)(3). That Rule requires that such disclosures be made at least 30 days before trial, "unless the court orders otherwise." By virtue of SDIL-LR 16.2(b), this Court has set a different schedule for the disclosure of trial witnesses and exhibits. See also, this District's website at [www.ilsd.uscourts.gov](http://www.ilsd.uscourts.gov).

For the foregoing reasons, Motion for Sanctions as to Defendant C. David Nelson Pursuant to Rule 37 (**Doc. 178**) is **DENIED**.

**IT IS SO ORDERED.**

**DATE: October 5, 2009.**

**s/ Clifford J. Proud  
CLIFFORD J. PROUD  
UNITED STATES MAGISTRATE JUDGE**